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FAX COVER SHEET FOR MESSAGE FROM:



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TO: Linda Hallman, USPTO

DATE: 7-5-2001

RE: USPTO Ser. No. 09/498,794

Per your telephone message of 7/2/2001, the following information is furnished:

1. I filed a "Petition to Accept Missing Item in New Application" on 4/24/2000. Therein, I attached the missing page 7 and explained that all my records indicated that the original as transmitted to the USPTO did contain page 7. That Petition was transmitted via U.S. Postal Service Express Mail. I have the original mailing receipt and can furnish it to you or the Petitions office.
2. On 8/11/2000, I telephonically checked with the Petitions office, and was informed that it had received the Petition. (I did not receive a mailing receipt card from the Petitions Office, despite having sent one).
3. On 3/7/2001, I telephonically checked with the Petitions office, and was informed that the Petition had been granted, and the application had been routed for assignment to an Examining Group. I asked if I would be receiving written notice that the Petition had been granted, and the person I spoke to said yes, it would be coming. To date, I have not received any written notification that the petition was granted.
4. A number of things may have been lost or not entered correctly in the USPTO records when this case was originally filed. The missing page 7 may be just one problem. For example, in my most recent telephone calls to the Petitions office, I was informed that the PTO records show me as the assignee of the application, rather than the attorney of record. This data is clearly not consistent with the documents which were filed with the application: the Assignment is to the U.S. Government as represented by the Administrator

of NASA; the Declaration, Oath and Power of Attorney, lists myself and several other NASA attorneys, and directs that correspondence be directed to me.

5. I can fax or mail you the Petition and its attachments, the U.S. Postal Service Express Mail mailing receipt for the Petition, page 7 of the application, and anything else you may need to prevent this application from going abandoned. I believe my Petition was a timely and proper response to the notice of missing item, and abandonment is not justified under the circumstances..

Respectfully,



Kent N. Stone

Rg. No. 31,883